

# REMARKS

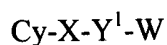
Claims 1-4, 6-21, 23-33, 35-39, 42-44 and 47-49 are pending in the application. Claims 1-4, 6-21, 23-33, 35-39, 42-44 and 47-49 are currently rejected under 35 USC §112, second paragraph as being indefinite. Claims 1-3, 8 and 42 are currently rejected as being anticipated. Each of these rejections is separately addressed below.

## Claim Rejection-35 USC §112, Second Paragraph

The Examiner states that the definition of R<sup>3</sup> in Claims 1, 42, 48 and all claims dependent thereon are indefinite because the valence requirements of the sulfonyl group recited in the markush group for R<sup>3</sup> are not properly met. Applicant has amended claims 1, 4, 18, 21, 42, 43, 47 and 48 to remove the recitation of the sulfonyl group from the claim.

## Claims 1-3, 8 and 42 are novel over Cohen et al.

The Examiner has rejected claims 1-3, 8, and 42 under 35 USC §102 as being anticipated by Cohen et al., *Tetrahedron Letters*, 22(35); 3377-3380 (1981). Claims 1-3, 8 and 42 recite an inhibitor of histone deacetylase having the formula:



wherein W is selected from (among others) the group  $\text{-C(O)-CH}_2\text{-SR}^2$ .

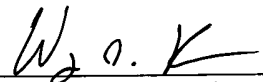
The Cohen disclosure of a specific compound which is a (phenylthio)cyclobutanone does not include the group,  $\text{-C(O)-CH}_2\text{-}$  directly bonded to sulfur as is recited in the claims of the present invention. By contrast, the phenylthio group of the Cohen compound is directly bonded to the butanone group of the Cohen compound resulting in a compound that is structurally different from the claimed compounds of the present invention.

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Response to Office Action

For the reasons described above, Applicants respectfully submit that claims 1-3, 8 and 42 are novel over the prior art of record therefore should be allowed. If the Examiner believes that any discussion of this communication would be helpful, the undersigned attorney can be reached by telephone at 781-933-6630.

Respectfully submitted,

Dated: 7/14/03

  
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